

Excerpts from WO IM No. 99-166
August 10, 1999

TIME AND ATTENDANCE CODING:

Effective immediately, it is mandatory that all AUO hours worked be coded to Pay Code 810 – FLSA Uncontrollable Overtime, on the Time and Attendance Report. This will ensure that the appropriate amount will be paid to each affected employee from this point forward. (This is for nonexempt employees only)

Law enforcement rangers should make certain that their Leave and Earnings Statements and Time and Attendance Reports reflect the proper exemption status.

GENERAL GUIDELINES: AUO

Administratively Uncontrollable Overtime pay generally cannot be paid for overtime work that has been regularly scheduled. Regularly scheduled overtime creates an entitlement to overtime pay on an hour-for hour basis and generally must be officially ordered or approved by a supervisor or manager in advance of the administrative workweek. Regularly scheduled overtime is defined as work that is scheduled in advance of a regularly scheduled administrative workweek. A regularly scheduled administrative workweek means the days and hours of a week that an employee is regularly scheduled to work. This is illustrated in the following example.

Example 1: A law enforcement ranger on 15 percent AUO has an administrative workweek of 7:30 a.m. Thursday through 4:00 p.m. Monday. On Monday morning, two weeks prior to the event, he/she is notified to attend a two-day mandatory training session at the office on their regularly scheduled days off of Tuesday and Wednesday. The sixteen hours worked to attend the training session meets the definition of regularly scheduled overtime work and therefore cannot be paid as AUO.

There are certain circumstances when regularly scheduled overtime may be compensated by AUO instead of on an hour-by-hour basis. Circumstances that occasionally require supervisors or managers to direct overtime work for short periods of time or unpredictable incidents that lead to a temporary period of predictable tours of overtime work may be compensated by AUO. This is illustrated by the following example.

Example 2: A law enforcement ranger on 15 percent AUO has an administrative workweek of 7:30 a.m. Thursday through 4:00 p.m. Monday. On Friday afternoon, management receives information that a protest is scheduled on Tuesday morning at a timber sale. The Field Manager schedules the ranger to work eight hours on Tuesday to assure that the protest activities do not interfere with the timber sale. The short duration of the event, the lack of administrative control over protest activities by outside organizations, and the short notification of the event meet the definition of uncontrollable, and therefore, the eight hours of overtime worked by the ranger is compensated by AUO.

An employee receiving AUO pay is also entitled to night, Sunday, and holiday pay when the requirements for these types of premium pay have been met. However, hazardous duty pay may not be paid for hours of work that are compensated by AUO pay, because AUO pay is provided in lieu of other types of premium pay except overtime pay for regularly scheduled overtime work, and premium pay for night, Sunday, and holiday work.